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Schneider
FOR CONGRESS

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

Friends of Jan Schneider
P.O. Box 57, Sarasota, Florida 34230
Tel: 941-957-1950; Fax: 941-957-1952
Website: www.VoteJan.com
Email: info@VoteJan.com

Re: Request for Advisory Opinion

AOR 2006-23

August 4, 2006

Dear Federal Election Commission:

Former President Bill Clinton will turn 60 on August 19, 2006. Quite a number of birthday "bash" appear to be planned between that date and September 9, 2006. The admission prices seem to range from \$15 to thousands of dollars. As Campaign Manager for Jan Schneider, a candidate in the Democratic primary in the Florida 13th Congressional District, my questions in this regard are:

1. May one of our campaign contributors defray the costs for Jan Schneider to attend one or more of these events?
2. Does it matter whether that contributor has already made the maximum allowable contributions for the primary and/or general elections?
3. Would payment of any such expenses by a third party have to be reported, and the third party identified, on our FEC campaign finance report?
4. May Ms. Schneider advertise or otherwise use attendance at a Clinton event and/or other paid contacts with the former President to further her Congressional campaign?
5. Does it matter that Ms. Schneider and the Clintons have a long professional and personal history together, since both Bill Clinton and Hillary Rodham were her classmates at Yale Law School back in the 1970's and Ms. Schneider worked very hard for both Clinton Presidential campaigns?
6. Further, does it matter if the proposed third party contributor has also been associated with Ms. Schneider both personally and professionally for decades and would like to offer her such a gift out of long friendship?

By way of background, the FEC should know that Ms. Schneider's opponent in the Democratic primary in the Florida 13th has already done something similar. As recently reported in the Sarasota Herald-Tribune and according to our independent information, a prominent contributor paid \$25,000 for our opponent to have a five-minute meeting with former President Clinton. In addition, the same individual may have made at least one and perhaps more additional large contributions in order to gain access for the same candidate to promote her campaign.

As we understand them, the facts in our opponent's situation are somewhat different from those the subject of the present inquiry. In particular, upon information and belief, there was no previous personal or business relationship with President Clinton stretching back many years – or any time at all prior announcement of our opponent's Congressional candidacy. The following additional facts may also be relevant:

First, according to our information, the contributor was not in any way related to or associated with our opponent – other than, obviously, through his support of her Congressional campaign. The two had no business or personal relationship prior to our opponent announcing her run for

Congress. Further, while the amount in question would in any event exceed campaign limits, the individual donor had already "maxed out" to the campaign; and

Second, although the candidate has tried to term it "personal," the Clinton meeting was intended, advertised and used by her for campaign purposes. She announced the fact of her upcoming meeting (declining to mention the \$25,000 contribution) at a Congressional candidate debate during the luncheon of the Sarasota Democratic Club on the Saturday before the Monday meeting took place. The morning after the meeting, the candidate personally called the political reporters for at least the two major newspapers in the district to report on what transpired for insertion in their political columns. Thereafter, she mentioned the meeting at virtually every opportunity at various candidate events.

This Advisory Opinion request is somewhat urgent, since early voting for the Florida primary begins on August 21 and primary itself is September 5, 2006, Thank you in advance for your cooperation in this matter.

Sincerely,

Jennifer S. Cohen

P.S. For further information, please see:

Jeremy Wallace, Congressional candidate gets time with Clinton, Sarasota Herald-Tribune, June 19, 2006, <http://www.heraldtribune.com/apps/pbcs.dll/article?AID=/20060619/COLUMNIST89/606190455>

"[Candidate] milked Clinton Visit," Sarasota Herald-Tribune, June 28, 2006 (letter from Rachel Kestenbaum), <http://www.heraldtribune.com/apps/pbcs.dll/article?AID=/20060628/OPINION/606280339>



Alberto S. Belinfante
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August 11, 2006

Re: Request for Advisory Opinion

Dear Federal Election Commission:

This is further to your inquiry this morning. Jan Schneider has received information and/or invitations concerning several birthday events for former President Bill Clinton. The Clinton birthday is actually August 17, not the 19th, as stated in my previous letter.

We presume that Jan can attend any private celebration in the home of a friend. This is on the assumption that would be no charge for any such event, Jan would pay all her own travel and other expenses, and the campaign would not in any way advertise Jan's attendance or use any photos or other material related to or from any such event.

The problematic question with regard to the former President is the birthday bash at the Royal York Hotel in Toronto, Canada, to be on September 9. We understand that the price for a major donor table at this event will be \$200,000. If a mutual friend (who happens to be associated with Clinton charitable endeavors) buys a table, may Jan accept a ticket to sit at his table. Jan would pay all her own travel expenses, lodging and other expenses for the trip. The beneficiary of the donation would be the Clinton Foundation AIDS effort.

Actually, particularly since this event will take place after the Florida primary, Jan is anxious to attend for personal rather than political reasons. Still, we are worried that any candidate accepting a gift valued at least \$20,000 from someone who has "maxed" out to her campaign for both the primary and general could be violating FEC regulations even if her reasons for going to the event were essentially "personal." Jan would pay all of her own travel, lodging and other expenses – except obviously the price of the event.

We also had in mind two Israel bond events, one in Miami and one in New York. While Jan could have made valuable contacts for contributors at these events, they turn out to be before the FEC could issue an opinion. Consequently, all plans in this regard have been abandoned.

Sincerely,

Jennifer S. Cohen

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FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
COUNSEL



Albert Kiss/FEC/US
08/12/2006 01:16 PM

To jcohen114@verizon.net
cc Duane Pugh/FEC/US@FEC
bcc Merita Johnson/FEC/US@FEC
Subject Advisory Opinion Request

Ms. Cohen -

This is to confirm our phone conversation yesterday regarding your advisory opinion request on behalf of Jan Schneider and Friends of Jan Schneider.

First, you stated that you are not seeking an advisory opinion regarding a private celebration in the home of a friend.

Second, you stated that Ms. Schneider and possibly you would like to attend the September 9, 2006, birthday event in Toronto, Canada, and if you attended you would advertise or otherwise use your attendance at that event to further the Congressional campaign, i.e., for political reasons.

Third, you stated that making valuable contacts with potential contributors could be one result of your and Ms. Schneider's attendance at the September 9, 2006, Toronto event.

Thank you for responding to our inquiries.

Albert J. Kiss
Office of General Counsel
Federal Election Commission
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